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8 *Attorneys for Defendant LG Electronics, Inc.*

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 IN RE: CATHODE RAY TUBE (CRT)  
13 ANTITRUST LITIGATION

Master File No. 3:07-cv-05944-JST

MDL No. 1917

14 This Document Relates to:

15 *Sears, Roebuck and Co. and Kmart Corp. v.*  
16 *Chunghwa Picture Tubes, Ltd.*, No. 11-cv-  
17 05514

**SEALED EXHIBITS A - F  
AND  
PUBLIC EXHIBITS G - I  
TO  
DECLARATION OF CATHLEEN H.  
HARTGE IN SUPPORT OF DEFENDANT  
LG ELECTRONICS, INC.'S MOTION  
FOR BIFURCATION AND BENCH  
TRIAL**

Judge: Honorable Jon S. Tigar

Date: September 22, 2016

Time: 2:00 p.m.

Courtroom: 9, 19<sup>th</sup> Floor

# EXHIBIT A

FILED UNDER SEAL

# EXHIBIT B

FILED UNDER SEAL

# EXHIBIT C

FILED UNDER SEAL

# EXHIBIT D

FILED UNDER SEAL

# EXHIBIT E

FILED UNDER SEAL

# EXHIBIT F

FILED UNDER SEAL

# EXHIBIT G



1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN FRANCISCO DIVISION  
4 CASE NO. 3:07-CV-05944-SC  
5 MDL NO. 1917

6 IN RE: CATHODE RAY TUBE (CRT)  
7 ANTITRUST LITIGATION

8 \_\_\_\_\_  
9 This Document Relates to:

10 ALL ACTIONS  
11 \_\_\_\_\_/

12 Kenny Nachwalter, P.A.  
13 201 South Biscayne Boulevard  
14 Suite 1100  
15 Miami, Florida 33131  
16 Tuesday, November 4th, 2014  
17 12:58 p.m. - 1:45 p.m.

18 DEPOSITION OF PATRICK BARRETT  
19 as 30(b)(6) representative of Hitachi, Ltd.

20 Taken before Beverly Bourlier James,  
21 Registered Professional Reporter, Certified Realtime  
22 Reporter and Notary Public in and for the State of  
23 Florida at Large, pursuant to Notice of Taking  
24 Deposition filed in the above-mentioned cause.  
25

1 Electronic Devices (USA), Inc. to increase or  
2 decrease prices for the CRTs sold by Hitachi  
3 Electronic Devices (USA), Inc.?

4 A. No.

5 Q. During the relevant period, did Hitachi  
6 Displays, Ltd. have the ability to determine or  
7 modify budgetary decisions made by Hitachi Electronic  
8 Devices (USA), Inc.?

9 A. No.

10 Q. Between January 1, 1995 and September 30,  
11 2002, what was the percentage amount, if any, of  
12 Hitachi, Ltd.'s ownership share in Shenzhen SEG  
13 Hitachi Color Display Devices, Ltd.?

14 A. Hitachi, Ltd. had a 25 percent ownership  
15 share in Shenzhen SEG Hitachi Color Display Devices,  
16 Ltd. from January 1, 1995 to September 30, 2002.

17 Q. Between October 1, 2002 and November 7,  
18 2007, what was the percentage amount, if any, of  
19 Hitachi, Ltd.'s ownership share in Shenzhen SEG  
20 Hitachi Color Display Devices, Ltd.?

21 A. Hitachi, Ltd. had no ownership share of  
22 Shenzhen SEG Hitachi Color Display Devices, Ltd. from  
23 October 1, 2002 to November 7, 2007.

24 Q. Between October 1, 2002 and November 7,  
25 2007, what was the percentage amount, if any, of

1 Hitachi Display, Ltd.'s ownership share in Shenzhen  
2 SEG Hitachi Color Display Devices, Ltd.?

3 A. Hitachi Displays, Ltd. had a 25 percent  
4 ownership share in Shenzhen SEG Hitachi Color Display  
5 Devices, Ltd. from October 1, 2002 to November 7,  
6 2007.

7 Q. When, if ever, did Hitachi, Ltd. sell its  
8 ownership share in Shenzhen SEG Hitachi Color Display  
9 Devices, Ltd.?

10 A. Hitachi, Ltd.'s Display Group was spun off  
11 to form Hitachi Displays, Ltd. on October 1, 2002.  
12 At that time, Hitachi, Ltd.'s ownership share in  
13 Shenzhen SEG Hitachi Color Display Devices, Ltd. was  
14 transferred to Hitachi Displays, Ltd.

15 Q. When, if ever, did Hitachi Displays, Ltd.  
16 sell its ownership share in Shenzhen SEG Hitachi  
17 Color Display Devices, Ltd.?

18 A. Hitachi Displays, Ltd. sold its minority  
19 ownership share in Shenzhen SEG Hitachi Color Display  
20 Devices, Ltd. through an agreement executed on  
21 November 8, 2007.

22 Q. Between January 1, 1995 and November 7,  
23 2007, did Hitachi, Ltd. have the ability to remove  
24 officers or directors at Shenzhen SEG Hitachi Color  
25 Display Devices, Ltd.?

C E R T I F I C A T E

STATE OF FLORIDA:

COUNTY OF MIAMI-DADE:

I, the undersigned authority, certify that  
PATRICK BARRETT personally appeared before me on  
November 4, 2014 and was duly sworn by me.

WITNESS my hand and official seal this 4th  
day of November, 2014.

BEVERLY BOURLIER JAMES

My Commission #EE091768

Expires September 9th, 2015

C E R T I F I C A T E

STATE OF FLORIDA:

COUNTY OF MIAMI-DADE:

I, BEVERLY BOURLIER JAMES, a Notary Public  
for the State of Florida at Large, hereby certify  
that I reported the deposition of PATRICK BARRETT;  
and that the foregoing pages constitute a true and  
correct transcription of my shorthand report of the  
deposition by said witness on this date.

I further certify that I am not an attorney  
or counsel of any of the parties, nor a relative or  
employee of any attorney or counsel connected with  
the action nor financially interested in the action.

WITNESS my hand and official seal in the  
State of Florida, this 4th day of November, 2014.

---

BEVERLY BOURLIER JAMES

Registered Professional Reporter

Certified Realtime Reporter

Certified LiveNote Reporter

Florida Professional Reporter

NCRA Realtime Systems Administrator

# EXHIBIT H

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

3 SAN FRANCISCO DIVISION

4  
5 IN RE: CATHODE RAY TUBE (CRT) )

6 ANTITRUST LITIGATION ) No. 3:03-cv-05944 SC

7 ) MDL No. 1917

8  
9 This Document Relates to: )

10 ALL PENDING ACTIONS )

CERTIFIED  
TRANSCRIPT

11  
12  
13  
14 VIDEOTAPED DEPOSITION OF WAYNE PARK

15 Los Angeles, California

16 Tuesday, November 17, 2015

17 Volume I

18  
19  
20  
21 Reported by:

22 JUDITH A. MANGO

23 CSR No. 5584

24 Job No. 2187495

25 PAGES 1 - 148

1 CRT, which Zenith used to buy from Toshiba.

2 Q And do you recall buying CRTs from Toshiba  
3 in 1999?

4 A In 1999 I got out of Zenith, so I cannot  
5 tell. But before, we bought from. 10:22:13

6 Q When did you leave Zenith in 1999?

7 A End of '98 I left.

8 Q And where did you go?

9 A LG -- back to LG Electronics. At that time  
10 I was transferred to the appliance OEM division 10:22:28  
11 located in Chicago area.

12 Q Who informed you of your transfer out of  
13 Zenith?

14 A Michael Ahn notified me that I'm being  
15 transferred out of Zenith. 10:22:49

16 Q And would that have come from above him at  
17 LG, from Mr. Cho or from Mr. Koo?

18 A Yeah.

19 MR. ESTRADA: Objection; calls for  
20 speculation. 10:23:00

21 THE WITNESS: Executive level movement is  
22 always reported and approved by CEO.

23 BY MR. RANDALL:

24 Q And did you know whether Mr. Koo approved  
25 that transfer for you in 1998, 1999? 10:23:10



1 Q Could LG headquarters tell you what price  
2 to set for a Zenith CRT-based television?

3 A They -- they cannot, because -- I have to  
4 be clear. We -- we might be a little bit confused.

5 When I was doing the sales-related job in 14:02:59  
6 2001, 2000, Zenith stopped manufacturing TV sales --  
7 TV product and Zenith outsourced its TV product.

8 So I have to make -- if I have to sell TV  
9 at a certain price, and if it -- the loss is too  
10 big, then I would rather reduce the volume or 14:03:33  
11 renegotiate with the outsourcing factory to cut the  
12 cost down.

13 If they cannot cut the cost down, then I  
14 would probably reduce the volume to reduce the limit  
15 of the loss to -- to make my business plan P&L, not 14:03:51  
16 target.

17 Q Let me ask you about that, because you  
18 mentioned when you went back to Zenith in 2000 --

19 A Uh-hmm.

20 Q -- Zenith was no longer making its own 14:04:03  
21 tubes; is that right?

22 A Right.

23 Q So at that point Zenith was outsourcing the  
24 making of televisions, CRT-based televisions --

25 A Uh-hmm. 14:04:14

1 Q -- and the tubes that would go into those  
2 CRT-based televisions; is that right?

3 A Uh-hmm.

4 Q Before that point in time Zenith was making  
5 its own tubes -- 14:04:23

6 A Yes.

7 Q -- is that right?

8 And I think you testified that there was a  
9 certain percentage of large size tubes, 32-inch,  
10 36-inch, that were made by Toshiba. 14:04:34

11 A Yes, I recall that.

12 Q Was that a major percentage of the  
13 CRT-based televisions sold by Zenith?

14 A No. As you have seen in the exhibit in the  
15 past, it was like -- target quantity was like a 14:04:45  
16 hundred thousand units of 32-inch and 40,000 units  
17 in the 36-inch.

18 Generally the target quantity is the  
19 optimistic number, right? So the actual production  
20 per year must have been smaller than that. And that 14:05:06  
21 number is a very small portion of Zenith's total  
22 business volume. Very small portion.

23 Q When you say "very small portion," what  
24 percentage would you put as an estimate?

25 A Estimate, less than ten percent, I should 14:05:20

1 say.

2 Q Now, after the point when you came back in  
3 2000, Zenith was no longer making its own tubes and  
4 they were outsourcing that production.

5 A Uh-hmm. 14:05:37

6 Q Where, geographically speaking, did they  
7 outsource their production?

8 A In North America, either -- mostly in  
9 Mexico border area, U.S./Mexico border area.

10 Q Why was it important that the outsourcing 14:05:53  
11 happen in North America?

12 A The biggest reason was the NAFTA tariff.  
13 NAFTA imposed import duty of five percent for every  
14 TV set we are importing out of North Ameri -- North  
15 American territory. 14:06:16

16 And, as I told you, in this  
17 highly-competitive TV market where operating budget  
18 is so thin, five percent gap is a very big  
19 disadvantage. And also TV price is always eroding.  
20 But if you buy from offshore, from Far East, Asia, 14:06:36  
21 you have longer lead time, meaning you have a higher  
22 risk of price erosion longer than other people and  
23 also shipping cost addition.

24 So all the economy reasons dictate --  
25 almost dictate you buy from North American facility. 14:06:53

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby  
3 certify:

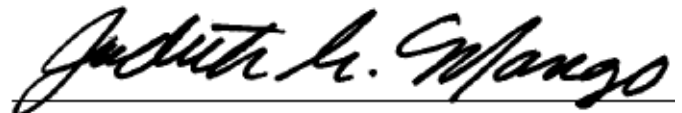
4 That the foregoing proceedings were taken  
5 before me at the time and place therein set forth;  
6 that any witnesses in the foregoing proceedings,  
7 prior to testifying, were administered an oath; that  
8 a record of the proceedings was made by me using  
9 machine shorthand which was thereafter transcribed  
10 under my direction; further, that the foregoing is a  
11 true record of the testimony given.

12 Further, that if the foregoing pertains to  
13 the original transcript of a deposition in a Federal  
14 Case, before completion of the proceedings, review  
15 of the transcript [ ] was [ ] was not requested.

16 I further certify I am neither financially  
17 interested in the action nor a relative or employee  
18 of any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date  
20 subscribed my name.

21  
22 Dated: 12/1/2015

A handwritten signature in black ink, reading "Judith A. Mango". The signature is written in a cursive, flowing style. The first name "Judith" is written with a large, prominent "J". The last name "Mango" is written with a large, prominent "M". The signature is written over a horizontal line.

23  
24 JUDITH A. MANGO

25 CSR No. 5584

# EXHIBIT I

United States District Court  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

COSTCO WHOLESALE CORPORATION,

Plaintiff,

v.

AU OPTRONICS CORPORATION, AU OPTRONICS  
CORPORATION AMERICA, LG DISPLAY CO., LTD.,  
and LG DISPLAY AMERICA, INC.,

Defendants.

**JUDGMENT IN A CIVIL CASE**

CASE NUMBER: C13-1207RAJ

  X   **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

       **Decision by Court.** This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

THE COURT HAS ORDERED THAT

Based on the jury's October 23, 2014 verdict and the court's June 4, 2015 findings of fact and conclusions of law, the court enters judgment for Plaintiff and against Defendants for \$61,971,040.

Dated this 4th day of June, 2015.

\_\_\_\_\_  
WILLIAM M. MCCOOL

Clerk

\_\_\_\_\_  
/s Lynn Kandziora

Deputy Clerk